

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Katelyn Williams	Team: Team # 3	CCRB Case #: 200906271	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 04/23/2009 8:10 PM	Location of Incident: § 87(2)(b)	Precinct: 110	18 Mo. SOL 10/23/2010	EO SOL 10/23/2010	
Date/Time CV Reported Fri, 04/24/2009 2:14 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 04/24/2009 2:14 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Orlando Sanchez	13382	935691	110 PCT
2. POM Steven Abrahamsen	27379	941306	110 PCT
3. POM Byron Visquerra	01931	907675	PBQ/N
4. POM Dustin Mowery	05833	928821	PBQ/N

Officer(s)	Allegation	Investigator Recommendation
A.POM Byron Visquerra	Abuse: Police Officer Byron Visquerra entered and searched § 87(2)(b) of § 87(2)(b) in Queens.	§ 87(2)(b)
B.POM Steven Abrahamsen	Abuse: Police Officer Steven Abrahamsen entered and searched § 87(2)(b) of § 87(2)(b) in Queens.	§ 87(2)(b)
C.POM Orlando Sanchez	Abuse: Police Officer Orlando Sanchez entered and searched § 87(2)(b) of § 87(2)(b) in Queens.	§ 87(2)(b)
D.POM Dustin Mowery	Abuse: Police Officer Dustin Mowery entered and searched § 87(2)(b) of § 87(2)(b) in Queens.	§ 87(2)(b)
E.POM Dustin Mowery	Abuse: Police Officer Dustin Mowery refused to provide his name and shield number to § 87(2)(b)	§ 87(2)(b)
§ 87(2)(g), § 87(4-b)	§ 87(2)(b)	§ 87(2)(b)

### Case Summary

§ 87(2)(b) filed a complaint with the CCRB via telephone on April 24, 2009 (Encl. 4A-B).

At approximately 8:05AM on April 23, 2009, PO Byron Visquerra and PO Dustin Mowery of Patrol Borough Queens North, and PO Steven Abrahamsen and PO Orlando Sanchez of the 110<sup>th</sup> Precinct responded to § 87(2)(b) of § 87(2)(b) in Queens in regard to a radio run of a female being held at gunpoint inside the apartment. The following allegations resulted from the officers' actions:

- **Allegation A-Abuse of Authority: Police Officer Byron Visquerra entered and searched § 87(2)(b) of § 87(2)(b) in Queens.**
- **Allegation B- Abuse of Authority: Police Officer Steven Abrahamsen entered and searched § 87(2)(b) of § 87(2)(b) in Queens.**
- **Allegation C- Abuse of Authority: Police Officer Orlando Sanchez entered and searched § 87(2)(b) of § 87(2)(b) in Queens.**
- **Allegation D- Abuse of Authority: Police Officer Dustin Mowery entered and searched § 87(2)(b) of § 87(2)(b) in Queens.**

§ 87(2)(b), § 87(2)(g)

- **Allegation E-Abuse of Authority: Police Officer Dustin Mowery refused to provide his name and shield number to § 87(2)(b)**

§ 87(2)(b), § 87(2)(g)

- § 87(2)(g), § 87(4-b)

The undersigned investigator called § 87(2)(b) on June 2, 2009 and offered him the option of mediating his complaint. § 87(2)(b) stated that he needed to think about it before making a decision. When the undersigned investigator called him on August 25, 2009, he stated that he did not want to mediate his complaint, but wanted to proceed with an investigation.

### Results of Investigation

#### Civilian Statement

**Complainant:** § 87(2)(b)

- **D.O.B.:** § 87(2)(b)

#### CCRB Statement/Written Statement/IAB Complaint

§ 87(2)(b) was interviewed at the CCRB on May 14, 2009 (Encl. 7A-F). When he appeared at the CCRB, he also provided a written statement dated May 14, 2009 (Encl. 6A-B). This letter was consistent with his formal statement. § 87(2)(b) later filed a complaint with IAB via telephone on July 2, 2009 (Encl. 5A), but he did not provide any additional or contradictory details to IAB. These statements are summarized below.

§ 87(2)(b) stated that at approximately 8:05PM on April 23, 2009, he was inside his § 87(2)(b) of § 87(2)(b) in Queens, when his doorbell rang. He asked who was there through the door, and a male voice identified himself as a police officer and asked § 87(2)(b) to open the door so he could speak with him.

When § 87(2)(b) opened the door, there were four uniformed officers standing outside. § 87(2)(b) identified the officer standing directly in front of the door as PO Byron Visquerra by reading his name and shield number off of the nameplate and shield on his uniform. Another officer, who § 87(2)(b) later identified as PO Orlando Sanchez in the same manner, was standing to PO Visquerra's left. A third officer was identified by § 87(2)(b) as PO Steven Abrahamsen in the same manner. The fourth officer was identified by the CCRB as PO Dustin Mowery.

PO Visquerra informed § 87(2)(b) that they had received a complaint that there was a woman being held at gunpoint inside his apartment. § 87(2)(b) asked PO Visquerra, "Does it seem like there is anyone in here being held at gunpoint?" The officers said, "No," but PO Visquerra asked § 87(2)(b) if they could come inside the apartment anyway. § 87(2)(b) told the officers that they needed a search warrant to come inside his house.

§ 87(2)(b) then asked PO Visquerra for his name. PO Visquerra did not answer him, and turned around and began speaking with the other officers. § 87(2)(b) turned to his right and took one step into the apartment to retrieve a pen and a piece of paper with which to write down the officers's information. As § 87(2)(b) was turned around, PO Visquerra used his body to push him to the side and he then entered the apartment. The rest of the officers entered the apartment behind PO Visquerra.

The officers began looking around § 87(2)(b)'s apartment. They went into his bathroom and looked behind the shower curtain; they went into his bedroom and looked in his closet (which was open). PO Abrahamsen went into the living room, lifted up the skirt of the couch and looked underneath it and behind it.

§ 87(2)(b) asked all of the officers for their names and shield numbers directly as they were walking around his apartment, but none of them verbally provided such information. Although all of the officers would not stop moving around, § 87(2)(b) was able to write down names and shield numbers for PO Abrahamsen, PO Sanchez and PO Visquerra. He was unable to write down any of the information from PO Mowery's nameplate and shield, however, and PO Mowery did not verbally provide this information to § 87(2)(b).

After the officers had looked through the apartment, PO Sanchez asked § 87(2)(b) for his ID. § 87(2)(b) asked why he needed it, and PO Sanchez responded, "If you don't show me your ID, it's going to be one way or the other." § 87(2)(b) then retrieved his work ID, which identified him as a § 87(2)(b), and handed it to PO Sanchez. PO Sanchez looked at it, copied down § 87(2)(b)'s information in his memo book.

PO Visquerra called over the radio to obtain more details about the incident, and § 87(2)(b) heard the voice on the radio state that a woman was being held against her will by another woman. § 87(2)(b) asked the officers, "Does it seem like there's a woman being held by another woman in this apartment?" The officers then left without apologizing.

## **NYPD Statements:**

### **Subject Officer: PO STEVEN ABRAHAMSEN**

- D.O.B.: § 87(2)(b)
- On April 23, 2009, PO Abrahamsen worked from 3:00PM until 11:35PM. He was in uniform and was assigned to patrol sectors B and C with PO Orlando Sanchez. They were using a marked RMP.

### **Memo Book**

PO Abrahamsen noted in his memo book (Encl. 8A-B) that at 8:05PM on April 23, 2009, he responded to a radio run of a possible crime involving a firearm inside § 87(2)(b) of § 87(2)(b) in Queens. At 8:30PM, he marked the radio run as unfounded.

### **CCRB Statement**

PO Steven Abrahamsen was interviewed at the CCRB on September 3, 2009 (Encl. 9A-B). He stated that at approximately 8:05PM, he and PO Sanchez received a call that a man with a firearm was holding a female against her will inside § 87(2)(b) of § 87(2)(b) in Queens. PO Abrahamsen and PO Sanchez arrived at the location at the same time as PO Byron Visquerra and PO Dustin Mowery from Patrol Borough Queens North, and they all entered the building together and ascended to the sixth floor.

One of the officers (PO Abrahamsen did not recall who) knocked on the door to § 87(2)(b) and after a few seconds, a male, later identified as § 87(2)(b) answered the door. PO Visquerra asked him, "Is everything alright? We got a call here. Can we please come in and make sure everything is ok?" § 87(2)(b) seemed upset. He told the officers that they had the wrong apartment, and he refused to allow them to enter because they did not produce a search warrant.

In order to both confirm that they had the correct apartment and allow § 87(2)(b) to hear that they really did have a radio run there, an unknown officer asked central to repeat the assignment. Central confirmed the address and repeated the radio run loud enough so § 87(2)(b) could hear it. However, § 87(2)(b) still denied the officers entry to his apartment. PO Abrahamsen's suspicion was raised because § 87(2)(b) was so vehement about not letting the officers check inside his apartment.

After a couple of minutes of conversing with § 87(2)(b) they told him that they had to enter and look around because they had reason to believe that someone was being held against their will inside the apartment. The officers then entered the apartment. PO Abrahamsen did not recall who entered the apartment first. None of the officers made physical contact with § 87(2)(b) while entering the apartment. Upon entering, PO Abrahamsen stayed with § 87(2)(b) in the dining room area, from where he observed empty beer bottles on the floor.

The other officers looked around the premises for a woman that was hurt or injured. They looked into the bedroom, the bathroom and the kitchen to make sure no one was in there. When the officers were done looking around, § 87(2)(b) requested their names and shield numbers, which they verbally provided to him. When § 87(2)(b) asked PO Abrahamsen for his name and shield number, he pointed to such information on his uniform and told him, "It's right here, if you have a problem."

One of the officers (PO Abrahamsen did not recall who) asked § 87(2)(b) for his ID, which he provided. The officers then began to leave. As they were leaving, § 87(2)(b) suggested to them that the call could have been about the apartment downstairs because he had had problems with them in the past. The officers checked that apartment as well, but did not find the female they were looking for.

### **Subject Officer: PO ORLANDO SANCHEZ**

- § 87(2)(b)
- *On April 23, 2009, PO Orlando Sanchez worked 3:00PM to 11:35. He was in uniform and was assigned to patrol sectors B, C and F with PO Steven Abrahamsen. They were using a marked RMP.*

### **Memo Book**

PO Sanchez noted in his memo book (Encl. 10A-B) that at 8:05PM on April 23, 2009, he responded to a possible crime involving a firearm inside § 87(2)(b) of § 87(2)(b) in Queens. Once at § 87(2)(b) he encountered § 87(2)(b) who was intoxicated and was very uncooperative. PO Sanchez and PO Abrahamsen also checked § 87(2)(b) in regard to the call. PO Sanchez marked the radio run as unfounded at 8:30PM.

### **CCRB Statement**

Orlando Sanchez was interviewed at the CCRB on September 9, 2009 (Encl. 11A-B). He stated that at approximately 8:05pm, he and PO Abrahamsen responded to a radio run of a female being held at gunpoint inside § 87(2)(b) of § 87(2)(b) in Queens. PO Sanchez and PO Abrahamsen arrived at the location at approximately the same time as PO Byron Visquerra from Patrol Borough Queens North and his partner, who was identified by the CCRB as PO Dustin Mowery.

They all entered the building and ascended to the sixth floor together. One of the officers (PO Sanchez did not recall who) knocked on the door. After about a minute, a male, later identified as § 87(2)(b) came to the door and asked who was there. The officers identified themselves as police officers, and § 87(2)(b) then opened the door. One of the officers (PO Sanchez did not recall who) told § 87(2)(b) that they received a call that a female was being held against her will at gunpoint inside his apartment.

PO Sanchez described § 87(2)(b)'s demeanor as belligerent and hostile. He believed § 87(2)(b) to be intoxicated because he smelled of alcohol and his eyes were bloodshot. § 87(2)(b) refused to allow the officers inside his apartment, stating that they had no right to be there. The officers had central repeat the assignment over the radio again so that § 87(2)(b) could hear it for himself. After hearing central repeat the radio run, § 87(2)(b) stepped to the side to let the officers by. All of the officers proceeded to enter the apartment. PO Sanchez did not recall which officer entered the apartment first. PO Sanchez did not make any physical contact with § 87(2)(b) nor did he recall any of the officers making physical contact with § 87(2)(b) while entering the apartment.

Once the officers were inside, § 87(2)(b) again told them that they were not allowed to be there because they did not have a search warrant. The officers again explained why they were there. PO Sanchez asked § 87(2)(b) if there was anyone else in the apartment, and he said no. He and § 87(2)(b) stood in the living room while the rest of the officers conducted a visual inspection of the other rooms to make sure there was no female hurt or being held against her will inside. PO Sanchez stated that none of the officer's opened any draws, doors, or closets. From where he was, PO Sanchez observed empty beer bottles on the floor of the apartment.

§ 87(2)(b) began walking around and telling the officers that they need a search warrant and were not allowed in the apartment. § 87(2)(b) asked all of the officers for their names and shield numbers. PO Sanchez believes all of the officers provided such information to him verbally before leaving. PO Sanchez provided this information to § 87(2)(b) verbally and also showed him his shield and nameplate on his uniform. PO Sanchez did not see any officer move in such a way as to prevent § 87(2)(b) from seeing their names and shield numbers on their uniform. There was nothing obstructing § 87(2)(b)'s view of such information on any of the officers' uniforms.

The officers also checked the apartment below § 87(2)(b) but they never found the female. PO Sanchez asked for § 87(2)(b)'s ID to write down his name, and § 87(2)(b) complied. The incident lasted approximately ten to twenty minutes.

**Subject Officer: PO DUSTIN MOWERY**

- *D.O.B.: § 87(2)(b).*
- *PO Mowery worked from 5:30PM on April 23, 2009 until 2:05AM on April 24, 2009. He was in uniform and was assigned to borough conditions in the 110<sup>th</sup> Precinct with PO Byron Visquerra. They were using a marked RMP.*

**Memo Book**

PO Mowery did not have any memo book entries regarding this incident (Encl. 12A-C).

**CCRB Statement**

PO Dustin Mowery was interviewed at the CCRB on September 17, 2009 (Encl. 13A-B). He stated that at approximately 8:10PM on April 23, 2009, he and PO Visquerra were patrolling in the 110<sup>th</sup> Precinct when they received a radio run of a man with a firearm holding a female against her will inside § 87(2)(b) of § 87(2)(b) in Queens. When they arrived at the location, they were met by PO Steven Abrahamsen and PO Orlando Sanchez from the 110<sup>th</sup> Precinct.

All four officers entered the building and ascended to the sixth floor together. One of the officers knocked on the door (PO Mowery did not recall who). A voice asked who was there through the door, and the officers stated, "New York City Police Department." A male individual, later identified as § 87(2)(b) then opened the door. PO Mowery did not recall much of the conversation between the officers and § 87(2)(b). He stated, however, that one of the officers (he did not recall who) informed § 87(2)(b) that they received a call about a male with a firearm holding a female against her will in that apartment. He also heard § 87(2)(b) tell the officers that they could not enter his apartment.

One of the officers again asked § 87(2)(b) if they could enter his apartment (PO Mowery did not recall which officer did this). PO Visquerra and the officers from the 110<sup>th</sup> Precinct unit entered the apartment. PO Mowery did not recall if § 87(2)(b) gave the officers permission first, nor did he recall which officer entered the apartment first. PO Mowery stayed outside in the hallway by the door and did not enter the apartment at any point.

When the officers entered the apartment, § 87(2)(b) was standing in the entrance hallway inside his apartment. His body was not physically blocking the doorway, and the officers did not make any physical contact with him while entering. From where PO Mowery was in the hallway, he could see into part of § 87(2)(b)'s living room. He saw the officers walk inside and speak with § 87(2)(b) in the living room. The officers then looked around briefly. They walked into what seemed to be the kitchen area. PO Mowery could not see where exactly the officers were looking.

Once the officers were satisfied that no one was being held against his or her will and that there were no signs of a struggle, they again explained to § 87(2)(b) why they were there. They also had central repeat the radio run over the radio so that § 87(2)(b) could hear it for himself.

The officers then apologized for the inconvenience and began to leave. As they were leaving, § 87(2)(b) asked them for their names and shield numbers. He then walked around with a pen and a sheet of paper and wrote down the information from their shields and nameplates. PO Mowery did not provide his name and shield number verbally because § 87(2)(b) wrote them down after reading them off of his nameplate and shield on his uniform. He saw § 87(2)(b) do the same with the other officers. He did not recall if any of the other officers also provided their name and shield numbers verbally.

**Subject Officer: PO BYRON VISQUERRA**

- *D.O.B.: § 87(2)(b)*
- *PO Visquerra worked from 5:30PM on April 23, 2009 until 2:05AM on April 24, 2009. He was in uniform and was assigned to borough conditions in the 110<sup>th</sup> Precinct with PO Dustin Mowery. They were using a marked RMP (#5120), which is a Ford Explorer.*

**Memo Book**

PO Visquerra noted in his memo book (Encl. 14A-B) that at 8:05PM on April 23, 2009, he and PO Mowery responded to a possible crime (he indicated in his interview that it was a gun run) inside § 87(2)(b) of § 87(2)(b) in Queens. At 8:30PM, he noted that it was unfounded.

**CCRB Statement**

PO Byron Visquerra was interviewed at the CCRB on September 17, 2009 (Encl. 15A-C). He stated that at approximately 8:05PM on April 23, 2009, he and PO Mowery received a call about a female being held at gunpoint against her will inside § 87(2)(b) of § 87(2)(b) in Queens. There was no description of the suspect or the victim. As they were exiting their RMP at the location, a sector car from the 110<sup>th</sup> Precinct arrived. PO Visquerra knew one of the officers to be PO Orlando Sanchez, and the other officer was identified by the CCRB as PO Steven Abrahamsen.

All of the officers ascended to the sixth floor together. PO Visquerra knocked on the door to § 87(2)(b) and someone asked through the door who they were. PO Visquerra stated, "Police Department." § 87(2)(b) opened the door and PO Visquerra identified himself and informed § 87(2)(b) that they were there due to a call they received regarding a woman being held at gunpoint inside his apartment. At this point, § 87(2)(b) was confused, but he was pleasant. PO Visquerra tried to listen to see if there was any sort of disturbance inside the apartment, but he did not hear anything.

PO Visquerra asked if they could come inside and § 87(2)(b) said, "Come in," and waved them inside. PO Visquerra, PO Sanchez and PO Abrahamsen entered the apartment. PO Mowery took one or two steps into the apartment but he stayed by the door. PO Visquerra did not make any physical contact with § 87(2)(b) while entering the apartment, nor did he see any other officer do so.

The officers entered § 87(2)(b)'s living room and PO Visquerra spoke with § 87(2)(b). He tried to look around as he was speaking with him. From what he could see, it did not seem as if there was a female inside the apartment. PO Visquerra mostly stood in the living room looking around. He also peeked into the kitchen and made sure no one was in there. PO Visquerra believes that PO Sanchez and his partner were walking around the apartment looking into each room. The apartment was small, so it did not take long to determine that there was no female being held at gunpoint inside.

All of a sudden, § 87(2)(b)'s mood changed. PO Visquerra did not know why this occurred, but § 87(2)(b) became angry and asked, "Why are you guys here?" PO Visquerra again explained why they were there and stated that they wanted to make sure that there was no female being held against her will.

PO Visquerra called central and had them repeat the radio run for § 87(2)(b) to hear. She repeated the whole radio run, but § 87(2)(b) was still angry. He stated, "I know people."

Once the officers were satisfied that there was no female being held at gunpoint, they began to leave. As they were leaving, § 87(2)(b) asked them for their shield numbers. PO Visquerra stated, "Well, here you go," and he held out his shield for him to see. He believes PO Sanchez did the same. He was unsure how PO Mowery and PO Abrahamsen responded because they were not near him at the time. The officers then left.

## **NYPD Documents**

### **SPRINT Report Print-Out/Communications Recording**

The SPRINT report print-out and communications recording for this incident (Encl. 16A-D) indicate that an anonymous male called 911 at 8:05PM on April 23, 2009 and stated that a female was being held against her will by a black female inside § 87(2)(b) of § 87(2)(b) in Queens. Central went over the radio with the radio run at 8:06AM, indicating that a firearm might be involved.

An anti-crime sergeant went over the radio stating that he was at the location, as did an unknown unit using RMP #3845, a gang auto unit from the 110<sup>th</sup> Precinct, patrol sector D from the 110<sup>th</sup> Precinct and a borough conditions unit using RMP #5120. They indicated that the radio run was unfounded between 8:14PM and 8:28PM.

### **Status of Civil Proceedings**

- § 87(2)(b) has not filed a Notice of Claim with the City of New York as of December 17, 2009 with regard to the incident (Encl. 21B).

§ 87(2)(b)

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§ 87(2)(b)

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### **Subject Officer(s) CCRB History**

- PO Steven Abrahamsen has been a member of the service for three years and there are no substantiated CCRB allegations against him (Encl. 2A).
- PO Dustin Mowery has been a member of the service for eight years and there are no substantiated CCRB allegations against him (Encl. 2B).
- PO Orlando Sanchez has been a member of the service for five years and there are no substantiated CCRB allegations against him (Encl. 2C).
- PO Byron Visquerra has been a member of the service for fifteen years and there are no substantiated CCRB allegations against him (Encl. 2D).

## **Conclusion**

### **Identification of Subject Officers**

§ 87(2)(b) obtained names and shield numbers for PO Visquerra, PO Abrahamsen and PO Sanchez at the time of the incident. He provided such information at the time of his CCRB interview. Furthermore, PO Visquerra, PO Abrahamsen, PO Sanchez and PO Mowery all acknowledged that they were the only four officers who went to § 87(2)(b) of § 87(2)(b) in Queens and interacted with § 87(2)(b) at the time of this incident. Therefore, premises entered and searched allegations were pleaded against PO Visquerra, PO Abrahamsen, PO Sanchez, and PO Mowery, and a refusal to provide name and shield allegation was pleaded against PO Mowery.

### **Investigative Findings and Recommendations**

#### **Allegations Not Pleased**

§ 87(2)(b) stated that PO Visquerra pushed him aside in order to enter his apartment. The CCRB determined that, as § 87(2)(b) described it, this action did not rise to the level of excessive force and was done for the purpose of moving § 87(2)(b) out of the way so that the



officers could enter the apartment and make sure no one was being held at gunpoint inside. Therefore, no physical force allegation was pleaded against PO Visquerra.

Although § 87(2)(b) indicated that none of the officers verbally provided their names and shield numbers when directly asked for such information, he was able to write down names and shield numbers for PO Visquerra, PO Abrahamsen and PO Sanchez while looking at the shields and nameplates on their uniforms. Therefore, no refusal to provide name and shield number allegations were pleaded against these officers.

**Allegation A-Abuse of Authority: Police Officer Byron Visquerra entered and searched**

**§ 87(2)(b) of § 87(2)(b) in Queens.**

**Allegation B- Abuse of Authority: Police Officer Steven Abrahamsen entered and searched**

**§ 87(2)(b) of § 87(2)(b) in Queens.**

**Allegation C- Abuse of Authority: Police Officer Orlando Sanchez entered and searched**

**§ 87(2)(b) of § 87(2)(b) in Queens.**

**Allegation D- Abuse of Authority: Police Officer Dustin Mowery entered and searched**

**§ 87(2)(b) of § 87(2)(b) in Queens.**

It is undisputed that PO Visquerra, PO Abrahamsen and PO Sanchez entered § 87(2)(b)'s apartment on the date of this incident and conducted a limited search. § 87(2)(b) alleged that PO Mowery also entered his apartment with the rest of the officers, though PO Mowery denied doing so.

As discussed in Kamins, “Under the emergency doctrine, a police officer can enter premises without a warrant to protect individuals in distress, to assist victims of crimes that have just occurred, or to investigate suspicious signs of impending danger” (Encl. 1A). It is undisputed that the officers in question were responding to a radio run of a woman being held at gunpoint inside § 87(2)(b) of § 87(2)(b) in Queens. It is also undisputed that the officers informed § 87(2)(b) of why they were there prior to entering the apartment, and that they eventually had central repeat the radio run over the radio so that § 87(2)(b) could hear it for himself.

The fact that § 87(2)(b) continued to refuse the officers entry to his apartment would have only raised their suspicion that criminal activity was, in fact, occurring inside his apartment. It is undisputed that once the officers entered § 87(2)(b)'s apartment, their search was limited to the places where a person could reasonably hide or be hidden. § 87(2)(b), § 87(2)(g)

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§ 87(2)(b)

**Allegation E-Abuse of Authority: Police Officer Dustin Mowery refused to provide his name and shield number to § 87(2)(b)**

PO Mowery acknowledged that § 87(2)(b) asked the officers for their names and shield numbers. He indicated that he allowed § 87(2)(b) to read this information off of his uniform and to write it down. However, § 87(2)(b) indicated that he was never able to write down PO Mowery's name and shield number because he would not stop moving around. PO Abrahamsen indicated that all of the officers provided their names and shield numbers to § 87(2)(b) and PO Sanchez stated that none of the officers moved in such a way as to prevent § 87(2)(b) from reading their names and shield numbers off of their uniforms. However, there were no further

witnesses to determine whether or not PO Mowery refused to provide § 87(2)(b) with his identifying information. § 87(2)(g)

§ 87(2)(g), § 87(4-b)

Team: \_\_\_\_\_

:

Investigator: _____	_____	_____
Signature	Print	Date

Supervisor: _____	_____	_____
Title/Signature	Print	Date

Reviewer: _____	_____	_____
Title/Signature	Print	Date

Reviewer: _____	_____	_____
Title/Signature	Print	Date